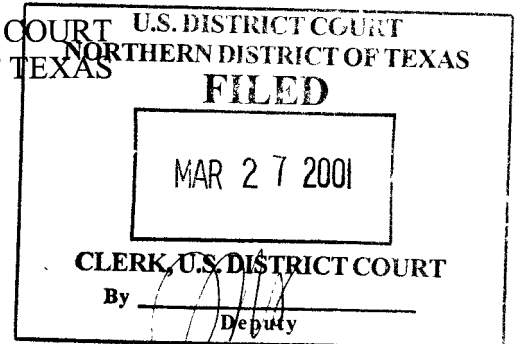


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



ST. PAUL FIRE & MARINE
INSURANCE COMPANY,

Plaintiff,

VS.

KNAPP MEDICAL CENTER,

Defendants.

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CIVIL ACTION NO.3-00-CV2273-X

MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE COURT:

Plaintiff St. Paul Fire & Marine Insurance Company ("St. Paul") files this Motion to Dismiss With Prejudice and respectfully shows as follows:

I.

In light of the Texas Supreme Court case *Texas Association of Counties County Government Risk Management Pool v. Matagorda County and Keith Kilgore*, St. Paul chooses not to pursue the claims asserted in the above-styled action.

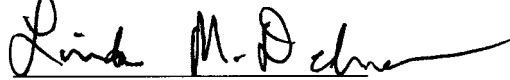
II.

St. Paul respectfully requests that this Court dismiss all claims brought by it with prejudice to refiling same, with costs of suit taxed to the party incurring such costs.

||

Respectfully submitted,

BAKER & MCKENZIE



Robert D. Allen

State Bar No. 01051315

Linda M. Dedman

State Bar No. 24007098

2001 Ross Avenue, Suite 2300

Dallas, TX 75201

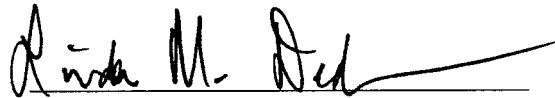
Telephone: 214-978-3000

Facsimile: 214-978-3099

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing document has been served via certified mail, return receipt requested on the following counsel of record this 26th day of March, 2001:

Mark Alan Keene
Davis & Davis, P.C.
P.O. Box 1588
Austin, Texas 78767



Linda M. Dedman